



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,812	10/30/2003	Cheng Chung Wang	10111396	1296
34283	7590	12/01/2005		
QUINTERO LAW OFFICE 1617 BROADWAY, 3RD FLOOR SANTA MONICA, CA 90404			EXAMINER HEWITT, JAMES M	
			ART UNIT 3679	PAPER NUMBER

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/696,812	WANG, CHENG CHUNG	
	Examiner	Art Unit	
	James M. Hewitt	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 5/27/05, 7/6/05 & 9/21/05.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 3-5, 9-20 is/are rejected.
- 7) Claim(s) 1,2 and 6-8 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 5/27/05.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION***Specification***

The amendment filed 7/6/05 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

“A driving element is provided for impelling the second switch structure to the fourth orientation when the first switch structure is moved to the first orientation while the second switch structure is in the third orientation, such that the first and second switch structures cannot be respectively in the first and third orientations simultaneously. Preferably, the driving element also impels the first switch structure to the second orientation when the second switch structure is moved to the third orientation while the first switch structure is in the first orientation, such that the first and second switch structures cannot be respectively in the first and third orientations simultaneously.”; and

“In this embodiment, the driving element preferably impels the second switch structure to the fourth orientation when the first switch structure is moved to the fifth orientation while the second switch structure is in the sixth orientation, such that the first and second switch structures cannot be respectively in the fifth and sixth orientations simultaneously. The driving element may also impel the first switch structure to the second orientation when the second switch structure is moved to the sixth orientation

while the first switch structure is in the fifth orientation, such that the first and second switch structures cannot be respectively in the fifth and sixth orientations simultaneously."

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Objections

Claims 1-3 and 6-20 are objected to because of the following informalities:

In claim 1, it seems incorrect to state that the air pump includes electrodes. The pump itself consists solely of the fan and motor. A suggestion to obviate this objection would be to claim an air pump assembly includes the electrodes or to claim that the product, not the pump, includes electrodes.

In claim 6, seems incorrect to state that the air pump includes electrodes. The pump itself consists solely of the fan and motor. A suggestion to obviate this objection would be to claim an air pump assembly includes the electrodes or to claim that the product, not the pump, includes electrodes.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 3 and 9-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The subject matter of claims 3, 9, 10, 12, 14, 15, 18 and 19 is not supported by the original disclosure.

In addition, the limitations "a driving element impelling the second switch structure to the fourth orientation when the first switch structure is moved to the first orientation while the second switch structure is in the third orientation, such that the first and second switch structures cannot be respectively in the first and third orientations simultaneously" is not supported by the original disclosure.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (US 6,591,437).

Phillips discloses an inflatable product, including: a first chamber (66a); a first pump (16); a first valve (86) through which the air pump inflates the first chamber; a first

switch structure (84a) connected to the first valve, wherein the first valve is mechanically opened by the first switch structure; a second chamber (66b); a second valve (86) through which the air pump inflates the second chamber; a second switch structure (86B) connected to the second valve wherein the second valve is mechanically opened by the second switch structure; wherein the first switch structure and second switch structure controls the pump operate. Phillips fails to teach that his pump includes a fan and motor. Phillips instead employs a diaphragm pump. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a fan/motor pump in place of Phillips' diaphragm pump since the use of a fan/motor pump is common in the art and as a diaphragm pump performs equally as well as a fan/motor pump.

Allowable Subject Matter

Claims 1-2 are objected to but would be allowable if rewritten to overcome the above-noted objection to claim 1. See ***Claim Objections*** above.

Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hewitt whose telephone number is 571-272-7084.

Art Unit: 3679

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JAMES M. HEWITT
PRIMARY EXAMINER